IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

| ROBERT BARNARD and BRYAN | § |
|---------------------------------|------------------------------|
| AHRENS, on Behalf of Themselves | § |
| and on Behalf of All Others | § |
| Similarly Situated, | § |
| | § |
| Plaintiffs, | § |
| | § |
| V. | S CIVIL ACTION NO. H-11-2198 |
| | § |
| INTERTEK USA INC. D/B/A/ | § |
| INTERTEK CALEB BRETT, | § |
| | § |
| Defendant. | § |

ORDER ADOPTING MAGISTRATE JUDGE'S MEMORANDUM AND RECOMMENDATION

Having reviewed the Magistrate Judge's Memorandum Recommendation and the objections thereto, the court is of the opinion that said Memorandum and Recommendation should be adopted by this court.

Ιt is, therefore, **ORDERED** the Memorandum that and Recommendation is hereby ADOPTED by this court.

The Clerk shall send copies of this Order to the respective parties.

SIGNED at Houston, Texas, this 7th day of September, 2012.

SIM LAKE UNITED STATES DISTRICT JUDGE